

REISSUE PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 2629**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Reissue Application of

Tokuroh OZAWA

Group Art Unit: 2629

Application No.: 10/773,703

Examiner: L. SHAPIRO

Filed: February 3, 2004

Docket No.: 039803.99

For: METHOD AND APPARATUS FOR DRIVING THE DISPLAY DEVICE, DISPLAY SYSTEM, AND DATA PROCESSING DEVICE

**REISSUE APPLICATION REQUEST FOR RECONSIDERATION
AFTER FINAL REJECTION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the April 22, 2009 Office Action, in conjunction with the Supplemental Reissue Declaration concurrently filed herewith, reconsideration of this reissue application is respectfully requested in light of the following remarks.

Claims 1-8, 47 and 48 are pending in this reissue application.

I. Supplemental Reissue Declaration

The Office Action rejects claims 1-8, 47 and 48 under 35 U.S.C. §251, asserting that the Reissue Declaration is defective. In particular, the Office Action asserts that the added claims 47 and 48 are narrower in scope than the patent claims, but the Reissue Declaration only asserts that the patent claims were unduly limited.

A Supplemental Reissue Declaration is concurrently filed herewith to point out the error in the original patent for not claiming the subject matter recited in claims 47 and 48. Submission of this Supplemental Reissue Declaration satisfies all requirements under 35 U.S.C. §251. Accordingly, withdrawal of the rejection of claims 1-8, 47 and 48 under 35 U.S.C. §251 is respectfully requested.

II. The Finality of the Office Action Is Improper

The current Office Action is made final. This is unreasonable. The previous Office Action did not raise the issue regarding a defective Reissue Declaration. The current Office Action is the first time when the defective Reissue Declaration is asserted. Thus, the finality of this Office Action is improper, and should be withdrawn.

III. Applicant Did Not File Arguments on December 10, 2007

The Office Action mentions "Applicant's arguments filed 12/10/07." See the Office Action at page 2, the last paragraph. However, Applicant did not file anything on that date. Applicant respectfully requests clarification in the next Office Action.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Gang Luo
Registration No. 50,559

JAO:GXL/axl

Attachment:

Supplemental Reissue Declaration

Date: June 22, 2009

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

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